

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

David Lee Garner, #57768-019,

Plaintiff,

vs.

The Supreme Court of United States;  
The United States Department of Justice;  
The United States District Court of Boston, MA.;  
The South Carolina Administrative Law Court;  
The South Carolina Supreme Court;  
President Barack Obama;  
Former Presidents of the United States George Bush Sr.,  
and George W. Bush Jr.;  
Vice President Joe Biden;  
Former President of the United States Dick Cheney;  
U.S. Secretary of State Hilary Clinton;  
U.S. Speaker of the House Nancy Pelosi;  
U.S. Chief of Staff Rahm Emanuel;  
Secretary of Defense of U.S. Robert Gates;  
Lt. R. Miller, Jr.;  
J. Sheriff;  
S. Argensta;  
R. Hamilton;  
M. Longenburger;  
C. Tallent; and  
Ofc. B. Harrison,

Defendants.

C/A No. 3:11-2702-TLW-JRM

**ORDER**

The plaintiff, David Lee Garner (“plaintiff”), brought this civil action, pro se, on October 11, 2011. (Doc. # 1). The plaintiff filed an amended complaint on November 21, 2011. (Doc. # 8).

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Joseph R. McCrorey to whom this case had

previously been assigned. (Doc. # 12). In the Report, the Magistrate Judge recommends that the District Court dismiss this case without prejudice. (Doc. # 12). The plaintiff filed objections to the Report and supplements to his objections. (Docs. 14, 15, 16, 17). In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections . . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992)

(citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed, de novo, the Report and the objections. After careful review of the Report and objections thereto, the Court **ACCEPTS** the Report. (Doc. # 12). Therefore, for the reasons articulated by the Magistrate Judge, this case is **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

May 2, 2012  
Florence, South Carolina